

C A M P A I G N F O R ACCOUNTABILITY

February 15, 2018

By Email: dhseo@nd.gov

North Dakota Department of Human Services
600 East Boulevard Avenue, Department 325
Bismarck, North Dakota 58505-0250

Re: North Dakota Open Records Request

To Whom It May Concern:

Campaign for Accountability (“CfA”) makes this request for public records, regardless of format, medium, or physical characteristics, and including electronic records and information, audiotapes, videotapes, and photographs, pursuant to N.D. Cent. Code § 44-04-18 *et seq.*

Specifically, CfA seeks copies of all solicitations, grant proposals, grant agreements, reimbursement requests, and/or purchase orders pertaining to the Alternatives-to-Abortion Services Program. This request is for records from July 1, 2015 to the present.

By way of background, the Alternatives-to-Abortion Services Program was created by statute in 2005.¹ Its purpose is to use federal Temporary Assistance for Needy Families block grant funding to support nongovernmental entities that provide services that “promote childbirth instead of abortion by providing information, counseling, and support services that assist pregnant women or women who believe they may be pregnant to choose childbirth and to make informed decisions regarding the choice of adoption or parenting with respect to their children.”² The legislature appropriated \$500,000 to the program for fiscal years 2016 and 2017 and \$600,000 for fiscal years 2018 and 2019.³

If it is your position that any portion of the records requested is confidential or exempt from disclosure pursuant to N.D. Cent. Code §§ 44-04-17.1(3) or (5), please provide a written notice indicating the basis for that determination. N.D. Cent. Code § 44-04-18(7). If a requested record contains material that is confidential or exempt from disclosure as well as material that is not confidential or exempt, please produce the portions of the record that are not confidential or exempt. N.D. Cent. Code § 44-04-18.10(2).

CfA is a non-profit organization and seeks the requested information primarily to benefit the general public. Furnishing copies of these records will allow CfA to inform and educate the

¹ S.B. 2409 (N.D. 2005).

² N.D. Cent. Code § 50-06-26.

³ Department of Human Services, Budget No. 325, North Dakota Legislative Council at 2, *available at* <http://www.legis.nd.gov/files/fiscal/2017-19/docs/325.pdf>.

February 15, 2018

Page 2

public about state funding received by a private organization. Accordingly, CfA requests that the information be provided without charge. If a fee waiver is not available, please inform me if the cost will exceed \$200.

Please respond to this request within a reasonable amount of time, as required by N.D. Cent. Code § 44-04-18(8), either by producing the requested records or by providing a written explanation regarding your determination to deny the request. If possible, please email the records to me at dstevens@campaignforaccountability.org. If the records are mailed, please send them to: Campaign for Accountability, 611 Pennsylvania Avenue SE, #337, Washington, DC 20003.

If you are unable to meet this statutory mandate, foresee any problems in releasing the requested records in whole or in part, or have any questions about this request, please contact me at 202-780-5750. Finally, I welcome the opportunity to discuss with you whether and to what extent this request can be narrowed or modified to better enable the Department of Human Services to process it. Thank you for your attention to this matter.

Sincerely,

A handwritten signature in blue ink, appearing to read "Dan E Stevens", with a long horizontal flourish extending to the right.

Daniel Stevens
Executive Director